

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
DIVISION

RECEIVED

2006 DEC 19 A 9:43

Tony Maurice Jackson )  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s) )  
\_\_\_\_\_  
\_\_\_\_\_  
v. )  
\_\_\_\_\_  
City of Dothan )  
Dothan Police Department )  
Chief John Powell )  
Detective John Crawford )  
Officer Sylvia Summers Defendant(s) )

1106CV1116 - MEF

DEGRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff(s) Tony Maurice Jackson

moves this Honorable Court for an order allowing her/him to proceed in this case without prepayment of fees, costs, or security therefor, and for grounds therefor submits the attached sworn affidavit in support of the motion.

Tony Jackson  
Plaintiff(s) signature

## UNITED STATES DISTRICT COURT

RECEIVED

Middle

District of

Alabama

2006 DEC 19 A 9:43

Plaintiff

V.

Defendant

I, Tony Maurice Jackson

declare that I am the (check appropriate box)

 petitioner/plaintiff/movant       other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?  Yes       No      (If "No," go to Part 2)

If "Yes," state the place of your incarceration Houston County Jail

Are you employed at the institution? No Do you receive any payment from the institution? No

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed?  Yes       No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer. 9-22-06 Last date of employment  
\$215.00 Last Take-Home wages 9-4-06 thru 9-18-06 Last Pay Period

I HOP 2210 Ross Clark Circle Dothan, AL 36301

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |                              |  |
|---|------------------------------|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have any cash or checking or savings accounts?  Yes  No

If "Yes," state the total amount. \$ 5.00

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value?  Yes  No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

Lydia Danielle Jackson (Wife) 50% Support

Jaquavion Keshad Deonte' Jackson (Son) 50% Support

Tony Maurice Jackson Jr. (Son) 50% Support

I declare under penalty of perjury that the above information is true and correct.

12-15-06

Date

Jamie Jackson Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

State of Alabama  
Unified Judicial SystemForm C-10  
Page 1 of 2

Rev. 2/95

Case Number

AFFIDAVIT OF SUBSTANTIAL  
HARDSHIP AND ORDER

IN THE District COURT OF Middle, ALABAMA  
 (Circuit, District, or Municipal)

(Name of County or Municipality)  
City of Dothan, Dothan Police Department

STYLE OF CASE: Tony Maurice Jackson v. Chief John Powell Detective John Crawford  
 Plaintiff(s) Defendant(s)  
Officer Sylvia Summers

TYPE OF PROCEEDING: Civil CHARGE(s) (if applicable): \_\_\_\_\_

- CIVIL CASE-- I, because of substantial hardship, am unable to pay the docket fee and service fees in this case. I request that payment of these fees be waived initially and taxed as costs at the conclusion of the case.
- CIVIL CASE-- (such as paternity, support, termination of parental rights, dependency) - I am financially unable to hire an attorney and I request that the court appoint one for me.
- CRIMINAL CASE-- I am financially unable to hire an attorney and request that the court appoint one for me.
- DELINQUENCY/NEED OF SUPERVISION-- I am financially unable to hire an attorney and request that the court appoint one for my child/me.

## AFFIDAVIT

## SECTION I.

## 1. IDENTIFICATION

Full name Tony Maurice Jackson Date of birth 7-30-81  
 Spouse's full name (if married) \_\_\_\_\_  
 Complete home address 1415 Third Ave Dothan, AL. 36301

Number of people living in household 3  
 Home telephone number (334) 792-7211  
 Occupation/Job Cook Length of employment 8 months  
 Driver's license number None \*Social Security Number 421-11-2115  
 Employer I HOP Employer's telephone number (334) 794-1271  
 Employer's address 2210 Ross Clark Circle Dothan, AL. 36301

## 2. ASSISTANCE BENEFITS

Do you or anyone residing in your household receive benefits from any of the following sources? (If so, please check those which apply.)

AFDC     Food Stamps     SSI     Medicaid     Other \_\_\_\_\_

## 3. INCOME/EXPENSE STATEMENT

## Monthly Gross Income:

Monthly Gross Income \$ 500.00  
 Spouse's Monthly Gross Income (unless a marital offense) \_\_\_\_\_  
 Other Earnings: Commissions, Bonuses, Interest Income, etc. \_\_\_\_\_  
 Contributions from Other People Living in Household \_\_\_\_\_  
 Unemployment/Workmen's Compensation, Social Security, Retirements, etc. \_\_\_\_\_  
 Other Income (be specific) \_\_\_\_\_

TOTAL MONTHLY GROSS INCOME \$ 500.00

## Monthly Expenses:

A. Living Expenses	<u>\$ 100.00</u>
Rent/Mortgage	<u>50.00</u>
Total Utilities: Gas, Electricity, Water, etc.	<u>100.00</u>
Food	<u>50.00</u>
Clothing	_____
Health Care/Medical	_____
Insurance	_____
Car Payment(s)/Transportation Expenses	<u>140.00</u>
Loan Payment(s)	_____

Form C-10 Page 2 of 2 Rev. 2/95

## AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER

Monthly Expenses: (cont'd page 1)

Credit Card Payment(s) \_\_\_\_\_

Educational/Employment Expenses \_\_\_\_\_

Other Expenses (be specific) \_\_\_\_\_

**Sub-Total**A \$ 440.00

B. Child Support Payment(s)/Alimony

\$ \_\_\_\_\_

B \$ \_\_\_\_\_

C. Exceptional Expenses

\$ \_\_\_\_\_

**TOTAL MONTHLY EXPENSES (add subtotals from A & B monthly only)** \$ 440.00

Total Gross Monthly Income Less total monthly expenses:

**DISPOSABLE MONTHLY INCOME**\$ 60.00

## 4. LIQUID ASSETS:

Cash on Hand/Bank (or otherwise available such as stocks, bonds, certificates of deposit) \$ \_\_\_\_\_

Equity in Real Estate (value of property less what you owe) \_\_\_\_\_

Equity in Personal Property, etc. (such as the value of

motor vehicles, stereo, VCR, furnishing, jewelry, tools, guns, less what you owe) \_\_\_\_\_

Other (be specific) \_\_\_\_\_

Do you own anything else of value?  Yes  No  
(land, house, boat, TV, stereo, jewelry) \_\_\_\_\_

If so, describe \_\_\_\_\_

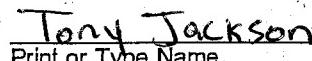
**TOTAL LIQUID ASSETS**\$ 0

## 5. Affidavit/Request

I swear or affirm that the answers are true and reflect my current financial status. I understand that a false statement or answer to any question in the affidavit may subject me to the penalties of perjury. I authorize the court or its authorized representative to obtain records of information pertaining to my financial status from any source in order to verify information provided by me. I further understand and acknowledge that, if the court appoints an attorney to represent me, the court may require me to pay all or part of the fees and expenses of my court-appointed counsel.

Sworn to and subscribed before me this My Commission Expires 8-7-2007

15 day of December 2006.

  
 Affiant's Signature
  
Judge/Clerk/Notary
  
 Print or Type Name
**ORDER OF COURT****SECTION II.****IT IS THEREFORE, ORDERED, AND ADJUDGED BY THE COURT AS FOLLOWS:**

- Affiant is not indigent and request is DENIED.
- Affiant is partially indigent and able to contribute monetarily toward his/her defense; therefore defendant is ordered to pay \$ \_\_\_\_\_ toward the anticipated cost of appointed counsel. Said amount is to be paid to the clerk of court or as otherwise ordered and disbursed as follows:
- Affiant is indigent and request is GRANTED.
- The prepayment of docket fees is waived.

IT IS FURTHER ORDERED AND ADJUDGED that \_\_\_\_\_ is hereby appointed as counsel to represent affiant.

IT IS FURTHER ORDERED AND ADJUDGED that the court reserves the right and may order reimbursement of attorney's fees and expenses, approved by the court and paid to the appointed counsel, and costs of court.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.  
 Judge \_\_\_\_\_

Mrs. Hackette:

The six month institutional statement which is also needed before filing of this complaint must be attained through fax or written request from your office. Sgt. Kim Turner has notified me of such and has told me to inform your office to get in touch with her through one of these two methods.

Jamy Jackson

12-15-06